

ACQUISITION MISSION REVIEW

July 2006

RCO BAVARIA

ACQUISITION MISSION REVIEW



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BEST OFFICE!

The prestigious Army Contracting Excellence (ACE) awards have been presented for more than 25 years to the most outstanding performers in USACCE, and to those making significant contributions to the success of the Command's mission. This year, RCO Bavaria is among them. This year's Award winners are:

BEST OFFICE (each)

RCO Bavaria

RCO Italy

Wiesbaden Contracting Center

PROFESSIONAL OF THE YEAR

Ms. Sigrid Mayer

RCO Bavaria

MAJ John Coombs

RCO Italy

MSG Rafael Monge

HQ, USACCE

OUTSTANDING SUPPORT TO CONTINGENCY CONTRACTING

Ms. Svetlana Allendorf

RCO Seckenheim.

MAJ Daryl Harger

WCC

SFC Tondra Garcia-Nunez

WCC

OUTSTANDING CONTRACTING TEAM OR DIVISION

**Intelligence Support Services
(ISS) Iraq Team, WCC**

OUTSTANDING CONTRIBUTION TO CONTRACTING EXCELLENCE

Contracting Officer:

Ms. Neva (Liz) Graves
WCC

Contract Specialist:

Mr. Stephen Bryant
WCC

Procurement Analyst:

Mr. Hans-Juergen Diepold
RCO Bavaria

OUTSTANDING CONTRIBUTION TO CONTRACTING MISSION

Mr. Christian Dilling
RCO Bavaria

OUTSTANDING CONTRACTING SUPPORT

COR: **Mr. William DeLozier, Jr.**
Vicenza DPW

GPC Customer: **Ms. Ronette**
Pratt, 21st TSC

**WE SALUTE EACH AND
EVERY ONE OF YOU!**

FY07 COR TRAINING SCHEDULE



For those who prefer resident training, here's the FY07 (and the remaining FY06) COR training schedule. The resident COR classes will cover both construction and services. Here are the tentative dates and places:

RCO Bavaria:

Georg Hoesl

(@us.army.mil)(DSN 475-8720)

RCO Benelux:

Joe Vitale

(@us.army.mil)(DSN 368-9628)

Good news for those who want to be CORs and prefer on-line training! USACCE has determined that the DAU on-line course, "COR with a Mission Focus" is acceptable as a basic COR course. The course may be accessed at:

<https://learn.dau.mil/html/login/login.jsp>.

Once completed, the course certificate must be provided to the Contracting Officer and COR's supervisor. More good news is that the basic COR courses offered by ALMC, DAU and USACCE are all acceptable.

Refresher training is required every 2 years, and can be accessed at www.fai.gov.

CORs must register, click on "COR Refresher Course" and print a certificate when completed.

AE Reg 715-3 is being rewritten, and will include this guidance.

11-17 July (wnd tng) (KOSOVO)

24-28 July (HBG)

28 Aug- 01 September (HBG)

16-20 October 2006 (HBG)

23-27 October (BAVARIA)

13-17 November (HBG)

27 Nov —01 December (FRAN)

11-15 December (HBG)

08-12 January 2007 (KTOWN)

22-26 January (HBG)

05-09 February (BENELUX)

12-16 February (HBG)

05-09 March (HBG)

19-23 March (FRAN)

02-06 April (LIVORNO)

09-13 April (VICENZA)

23-27 April (HBG)

21-25 May (HBG)

18-22 June (HBG)

09-13 July (KOSOVO)

23-27 July (HBG)

RCO Franconia:

David Rader

(David.Rader1@us.army.mil)

(DSN 351-4216)

RCO Italy:

Pam Runyon

(Pamela.Runyon@rco.vic.usacce.

army.mil) (DSN 634-3926)

RCO Seckenheim:

Michaela.Martin

(@rcoskn.usacce.army.mil)

(DSN 375-7579)

Wiesbaden Contracting Center:

Carl Foshay

Carlton.M.Foshay@us.army.mil

(DSN 336-2101)

21st TSC SOCO:

Terrence Kenny

(@hq.21tsc.army.mil)

(DSN 484-7251)

So, you've decided to do a resident course, but don't know how to get into one? Just contact one of the following folks and they will assist you:

WELL-TRAINED AND WELL-MANAGED CORs MEANS CONTRACTING SUCCESS



Having well-trained CORs is more likely to result in meeting time, cost, and quality expectations than having simplified contracts, says the Merit Systems Protection Board (MSPB) in its May 4 report.

MSPB surveyed more than 1,400 CORs from the ten Agencies that do 90% of the Government's contracting, and recommends Agencies select CORs with the right skills, and train and manage them well.

The Report found the CORs to be well-paid, well-educated employees. However, the Report also indicated that CORs who aren't trained and closely managed aren't getting the

results Agencies need.

Only 52% of the CORs said their contracts met all quality, timeliness and completeness requirements. "Not only does this mean that many contracts did not achieve the intended outcomes, it may also mean that Agencies' ability to effectively accomplish their missions was diminished," said the Report.

What causes the low rates? No definitive answers were given, but the report found that when CORs were well-prepared and well-managed, all outcomes were improved. Need COR Training? See www.dau.gov. Federal Times, pg. 3, May 15, 2006.

KATRINA TASK FORCE BRACES FOR STORM



Prosecutors in the New Orleans area are gearing up for a spike in procurement fraud as dollars for major reconstruction projects start flowing to the area.

The Task Force has prosecuted 261 people so far, one recent case involving a Corps of Engineers employee and a Subcontractor. The Subcontractor bribed the Corps employee in return for falsified

documents showing the Subcontractor had dumped certain amounts of debris at a collection site when, in fact, the Subcontractor had not. The two plead guilty on March 21st.

Debris removal has a significant huge potential for fraud because it involves thousands of trucks that are very difficult to oversee. Federal Times, pg. 8, May 15, 2006



**THE PBA
APPROACH IS NOT
DIRECTED TOWARD
CONTRACTING
OFFICES, BUT
RATHER TOWARD
THE PROGRAM
STAFFS...**

PERFORMANCE-BASED ACQUISITION

The renaming of performance-based contracting to "Performance-Based Acquisition" in a February 2nd FAR Final Rule suggests the business realignment that needs to occur. With a Performance-Based "contracting" label, one tends to look to the contracting staff to carry out the effort. However, the PBA approach is not contracting-directed and won't be found in the "how" of the process, nor in the type of contract used. Rather, it asks "What do we need to do to accomplish the Agency mission?" That's clearly a requirements issue, and that means it's the program staff, not Contracting Officers, who must drive the train.

Anyone working on big projects knows that the effort often lives or dies based on what work is done up front to assess needs and anticipate risks. The same holds true for PBA. In an environment of constant fire drills, Agency leaders need to recognize the value of giving senior program staff time to brainstorm requirements and performance objectives.

What are some approaches for Agencies to get better PBA results? Doing better upfront planning and taking advantage of appropriate expertise and what is recommended, which sounds a lot like Program Management 101. Federal Times, pg. 21, May 29, 2006.

SAFAVIAN GUILTY

A jury found former Bush Administration official David Safavian guilty of covering up his dealings with Republican influence-peddler Jack Abramoff. Safavian was convicted on four of five felony counts of lying and obstruction. He had resigned from his White House post last year as the federal government's chief procurement officer. The verdict gave a boost to the wide-ranging influence peddling probe that focuses on Abramoff's dealings with Congress. AP, June 20, 2006.



FEDERAL REGISTER

An interim rule has been issued amending the DFARS to implement DoD policy regarding Contractor personnel accompanying U.S. Armed Forces deployed outside the U.S. The rule addresses the status of contractor personnel as civilian accompanying the U.S. Armed Forces and the responsibilities of the combatant Commander regarding the protection of Contractor personnel. Effective date is June 16, 2006. Comments to the rule must be submitted on or before Aug 15, 2006. Fed. Reg. Friday, June 16th, 2006.

GPC CORNER

Here is another example of an instance when what might seem like a logical and easy fix does not always comply with fiscal law and GPC rules.

Recently a cardholder, at the direction of the cardholder's military supervisor, made a purchase of items that were legitimate and urgently needed. In haste, the cardholder failed to obtain approval by the Approving Official before making the purchase. Thus, even though the purchase would have been otherwise proper, without the Approving Official's signature before the purchase was made, the purchase was unauthorized.

While it might seem logical for the Approving Official to simply approve the purchase retroactively, which was what

was attempted in this instance, such action is improper because the unauthorized commitment had already occurred.

In accordance with the Army Federal Acquisition Regulation Supplement (AFARS) Subpart 5101.602-3-90, to ratify that unauthorized commitment, the Commander (or senior staff officer), the Chief of the Contracting Office, and Legal Advisor, in addition to the Approving Official, must review and rectify the situation. The cardholder's Commander or supervisor must also address action that will be taken to prevent future errors.

Questions? Call Tom at DSN 475-8715, Hans-Juergen at 475-8778, or Mike Lund, our Legal Counsel, at 475-8740.

**LOGICAL DOES NOT
NECESSARILY MEAN
LEGAL.....**



GPC AFFECTED BY SENATE BILL

GPC use will get much more scrutiny under a bill proposed by the Senate this past June 7th.

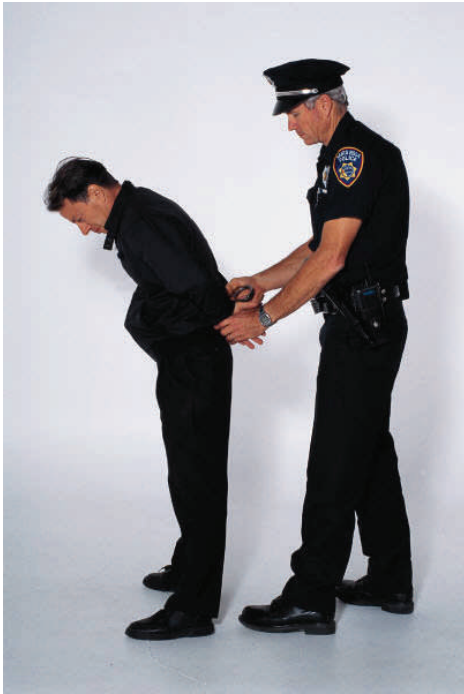
The "Purchase Card Waste Elimination Act" would require the Office of Management and Budget (OMB) to direct Agencies to better train their cardholders and more effectively analyze spending data. The Bill would also direct

the General Services Administration (GSA) to increase its efforts to secure discounts with purchase card vendors and to advise Agencies on ways they can reduce wasteful spending.

There is no companion bill in the House. Federal Times, pg. 15, June 13, 2006



NAVY CONTRACTOR ARRESTED FOR SABOTAGE



A Navy contractor was arrested Monday in connection with planting malicious code on a government computer system, in what he told investigators was an attempt to smear the reputation of another contractor who had won out in a bid competition.

Richard Sylvestre until this week was a systems administrator at the Navy's European Planning and Operations Center in Naples, Italy, a sub-surface vessel safety center that tracks the location of ships, submarines and underwater objects to prevent collisions, according to a criminal complaint filed by the

Justice Department at the U.S. District Court for the Eastern District of Virginia, located in Norfolk, Va.

Sylvestre owned and worked for Ares Systems International, a software and systems engineering firm that employed one other administrator at the center. SAIC Corp. recently won a contract to provide a third network administrator at the center, the filing said, beating Ares, which also had submitted a bid to fill the position. Full story: http://www.govexec.com/story_page.cfm?articleid=34443&dcn=e_ndw

SENATE BLOCKS DTS FUNDING



The effort to shut down the \$474 million Defense Travel System achieved a major victory last week when an amendment blocking future funding was included in the Senate version of the fiscal 2007 Defense authorization bill.

The amendment, proposed by Sen. Tom Coburn, R-Okla., prohibits the Defense Department from spending funds on the Web-based travel booking system and requires the Pentagon to set up a travel system using a service fee pricing method similar to that

used in the General Services Administration's eTravel Service.

The authorization bill (S. 2767) passed the Senate last Thursday shortly after the amendment was approved by voice vote. It must be resolved with the House version -- which does not include the amendment -- in conference committee.

Full story: http://www.govexec.com/story_page.cfm?articleid=34408&dcn=e_ndw

PROCUREMENT SPENDING WAY UP

Procurement spending grew 86% from 2000 to 2005, but management problems have resulted in significant levels of waste and abuse, according to a report released by Democratic lawmakers last week. Investigators found that procurement spending has increased significantly under the Bush administration, growing by 86 percent from \$203 billion in fiscal 2000 to \$377.5 billion in fiscal 2005. The present spending level represents a record 40 cents on every dollar of federal discretionary spending, according to the report.

Five companies won more than 20 percent of the contract dollars awarded in FY05, with Lockheed Martin Corp. topping the list, followed by Boeing Co., Northrop Grumman Corp., Raytheon Co. and General Dynamics Corp. for a total of \$80 billion. Halliburton experienced the fastest growth in federal contracting over the last five years, with a 600 percent increase since 2000.

Widespread mismanagement has accompanied the growth of procurement spending, investigators concluded, citing poor planning, noncompetitive awards, abuse of contract flexibilities, inadequate oversight and corruption as some of the problems.

The report highlighted wasteful and abusive spending resulting from three contracting "binges" -- Iraq reconstruction, Hurricane Katrina reconstruction and the homeland security buildup -- and cited DoD weapons acquisitions programs as a costly area of concern.

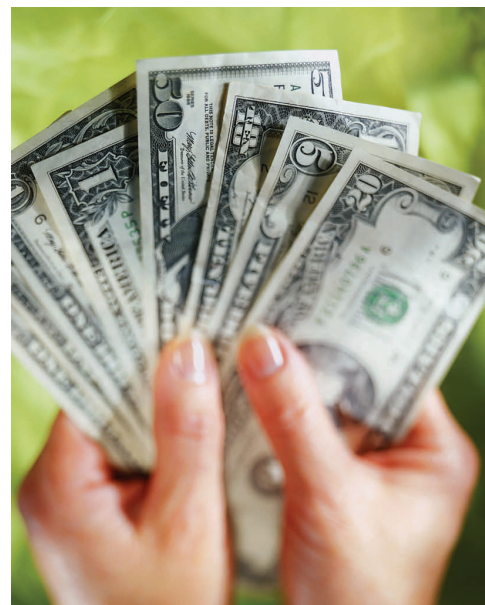
The report also brings a new element to the ongoing debate about recent procurement problems.

Accompanying the report is a [searchable Web site](#) with links to 118 "problem contracts," collectively worth \$745.5 billion, in which significant levels of waste, fraud or abuse have been identified by government overseers. For each contract, the site lists information on the awarding agency, the contractor, performance problems identified and links to reports on the contract.

A staffer for the Government Reform Committee said the site will be continually updated, with new contracts added and existing information maintained.

For the full story, and access to the links in this story, please go to:

http://www.govexec.com/story_page.cfm?articleid=34423&sid=5



HOUSE PROBES ALASKA NATIVE AWARDS



Members of Congress discussed removing special contracting privileges reserved for Alaska Native corporations at a joint committee hearing Wednesday.

Legislators leaned heavily on an April GAO report on contracting preferences for Alaska Native corporations, in considering where to lay blame for findings that no-bid contracts awarded through the program have led to inflated costs and may have unintended effects on other disadvantaged business groups. The federal acquisition workforce took criticism at the

hearing for well-publicized lapses in use of the program. Rep. Don Young, R.-Alaska, testified on the historical context of the preferences for Alaska Native firms, designed to benefit both individual businesses and Native Alaskan communities. To that end, native groups are exempt from a \$3 million limit on the size of no-bid contracts that can be awarded to other types of disadvantaged businesses, can own an unlimited number of subsidiaries and need not be led by a disadvantaged person.

June 21, 2006, GovExec.com.

SENATE HOLDS HEARINGS ON OFFICIAL



Paul Denett, who has been nominated to lead the Office of Management and Budget's procurement policy shop, on Tuesday laid out his likely priorities if confirmed for members of a Senate oversight committee.

In an unfortunate twist of timing, Denett's confirmation hearing took place at about the same time as a federal jury convicted David Safavian, the last official to be confirmed in that post, on four felony counts relating to his dealings with former lobbyist Jack Abramoff.

Denett, whose resume includes acquisition policy positions at the Interior Department and operational contracting experience through positions with the Treasury and Agriculture departments, the Navy and the Army, as well as several years of private-sector work, testified before the Senate Homeland Security and Governmental

Affairs Committee that his extensive experience would allow him to address the challenges facing the federal acquisition community.

Denett said that if he is confirmed as administrator of OMB's Office of Federal Procurement Policy, he would emphasize training for the acquisition workforce and work to improve emergency contracting and the management and transparency of contracts once they are secured.

For the complete story, please go to the June 20, 2006, GovExec.com

WOMAN-OWNED PREFERENCE?

The SBA is seeking public comment on a proposal to provide contracting preference to women-owned small businesses through a set-aside program similar to those in place for other disadvantaged business sectors. The proposed Women-Owned Small Business Federal Contract Assistance Program, which was the subject of a successful lawsuit by the U.S. Women's Chamber of Commerce relating to implementation delays, was detailed in a Thursday Federal Register Notice..

The Women's Chamber charged that the administration dragged its feet after Congress authorized a women's preference program in the 2000 Small Business Reauthorization Act. Last November, a U.S. District Court

found in favor of the business group, and set a timetable for the SBA to comply with the act.

The program answers that requirement, aiming to boost federal contracting and subcontracting by small businesses in which women own a controlling stake to meet a 5 percent target that has been in place since 1996. Agencies have never met that target, with women-owned small businesses hovering around 3 percent of prime contract awards in recent years.

The proposed program would establish a basis for limiting competitions of up to \$3 million, or \$5 million for manufacturing contracts, to women-owned small businesses. The new provisions would be grouped with existing



disadvantaged preference programs, and follow guidelines similar to those for minority-owned companies and those located in historically underutilized areas. June 15, 2006, GovExec.com

BIDDING WARS



Federal buyers are turning more to online auctions to satisfy their purchasing needs. While prices go up in a traditional auction, agencies use reverse auctions, which get their

name from the fact that prices go down as suppliers bid to offer a buyer the best deal.

A search on FedBiz-Opps reveals 332 active postings where reverse auctions will be used to buy items ranging from residential alarm systems to software.

The company that hosts most reverse auctions, FedBid, saw the value of its transactions more than double to \$204 million in 2005 from \$94 million in 2004. It expects to conduct \$400 million worth of business by the end of this year. And that's all

happening without any official regulation of reverse auctions.

"The absence of regulations...is a recipe for disaster," says Christopher R. Yukins, associate professor of government contracts law at The George Washington University Law School. "...Agencies don't know when it's appropriate to use reverse auctions or how to set them up," he adds. For the complete story, and access to links therein, please go to the June 15, 2006, GovExec Magazine, which can be accessed on-line.

GSA OFFERS BUYOUTS

The Federal Technology Service (FTS) and Federal Supply Service (FSS) divisions of GSA are being combined to form the Federal Acquisition Service (FAS).

As a result, GSA has received approval to offer buyouts to 400 employees, most in the FTS division.

The buyouts come when managers are trying to complete a reorganization they hope will make GSA more competitive. FT, pg. 3, May 15, 2006.

CONTINUOUS LEARNING SITE

Have you met your Continuous Learning requirement? There is only one more fiscal quarter to do so.

The DAU Continuous Learning Center is a readily-available means of brushing up on old skills and reinforcing your knowledge, as well as picking up new information (and meeting the CLP requirement), and all at your convenience.

Go to <http://clc.dau.mil>, and select "Register."

FINAL FISCAL QUARTER ASSURANCE DATES

Here are the cut-off dates for the final Quarter this Fiscal Year. Please remember to add thirty (30) days for acquisitions requiring Best Value (Trade Off) procedures, and forty-five (45) days for acquisitions subject to the Trade Agreements Act. Please print these and keep them handy:

31 JULY

Construction, Repair & Maintenance Contracts under \$300K.

15 AUGUST

Multiple Award IDIQ Task Orders over \$100K;
Multi-Trade Task Orders (Lump Sum portion);
Construction contracts up to \$100K

31 AUGUST

All Supplies and Services Contracts under \$100K.

15 SEPT

Task Orders under \$100K against Single-Award IDIQ contracts and Requirements Contracts;

Multi-Trade Task Orders (Time & Materials portion).

28 SEPT

Multi-Trade Task Orders (Job Order Contract portion)

30 SEPT

ABG Projects (All)

Don't forget! ALL acquisitions being submitted to RCO Bavaria must be submitted through Acquiline (PR Web). If you need training, please contact our office immediately.

COLONEL LONG RETIRES



After a long and distinguished career, Colonel John Lee Long, HQ USACCE Legal Counsel, retired last month.

A graduate of Tulane University and Tulane University Law School, he was commissioned in

the U.S. Army and became an Air Defense Artillery Officer, where he served as a Unit Commander and Artillery Group Staff Officer.

From 1980 on, he served in many capacities while a Judge Advocate General. In 1988 he completed his LLM at the U.S. Army Judge Advocate General's School, and in 1990 he attended the U.S. Army Command and General Staff College, and completed an LLM in Procurement Law at the George Washington University Law Center.

Colonel Long has been admitted to the Bar of the United States Supreme Court and the Bar of the Supreme Court of the State of Louisiana.

He and his wife, Patricia, have a son, William (20) and a daughter, Catherine Marie (16).

TODD CUNDY PROMOTED



RCO Bavaria's Operations Division Manager,

MONIKA PARZEFALL IS EMPLOYEE OF THE QUARTER!



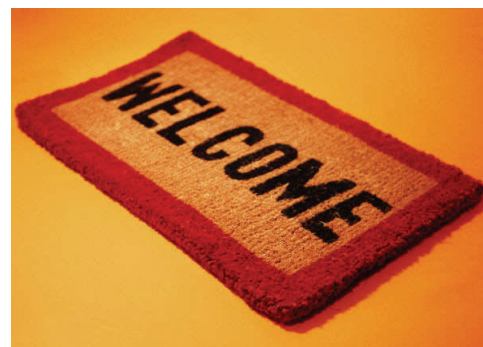
Congratulations, Monika. You're super!!!

WELCOME ABOARD!

We have three new additions to the RCO Bavaria family: Major James Conatser, SFC Michael Sanders, and Mrs. Melissa Lynn.

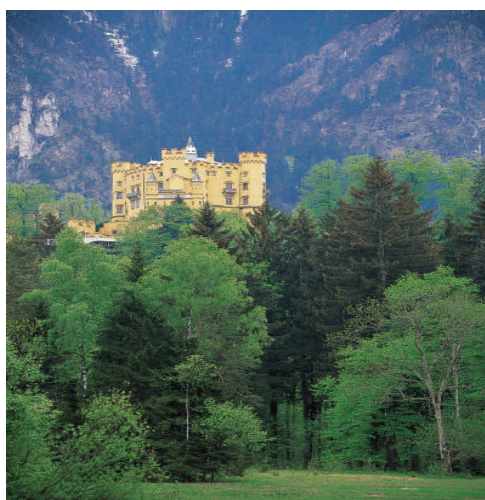
MAJOR JAMES CONATSER

James hails from Nashville, Tennessee and comes to us having just completed a long stint at the Naval Post Graduate School in Monterey, California. He was previously an infantry officer stationed in Korea, Fort Lewis, Fort Hood and Fort Knox. Welcome, James.



SFC MICHAEL SANDERS

No stranger to Acquisition, Mike, originally from Chicago, now joins us from Fort Bragg. He has many, many years of Army life behind him, and is a welcome addition to our Supplies and Services Team. Mike will be working on the EETAF Team this coming spring.



MELISSA LYNN

Melissa Lynn joins RCO Bavaria as a result of her husband being transferred here to support the Stryker Brigade. Melissa and her husband, Patrick, bring their three children Kelsey, Cale, and Molly, with them from Rock Island, Illinois.



We're on the web!!
www.usacce.army.mil/graf

RCO BAVARIA TELEPHONE LIST



OFFICE OF THE CHIEF

Elie Stowe, Chief	DSN 475-8710
Major James Conatser, Deputy	475-8726
Mike Lund, Legal Counsel	475-8740

OPERATIONS DIVISION

Major Todd Cundy (Mgr)	475-8726
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Supplies and Services Branch

Petra Boehm	475-8738
Norbert Buchfelder	475-8733
Uschi Grafe	475-8722
Wolfgang Hochholzer	475-8727
Hans Hoeller	475-8731
Gaby Kraus	475-8724
Melissa Lynn	475-8741
Klaus Neumann	475-8721
J.P. Pospischil	475-8736
Roland Preinl	475-8730
Wolfgang Ringer	475-8723
SFC Michael Sanders	475-8714
Andrea Schottenhammel	475-8728

Construction Branch

Evi Butter	475-8729
Helmut Liers	475-8725
Sigi Mayer	475-8779
Toni Schmidt	475-8739
Regina Tafelmeyer	475-8732
Morild Williams	475-8737

BUSINESS DIVISION

Georg Hoesl (Mgr)	475-8720
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Government Purchase Card

Tom Calcagno	475-8715
Hans-Juergen Diepold	475-8778
Karin Garcia	475-8712
Gabi Neubauer	475-8718

Systems Administration

Christian Dilling (SA)	475-8734
Josef Heldmann (SA)	475-8711

Document Processing

Peter Balscher	475-8716
Inge Goetz	475-8713
Monika Parzefall	475-8717
Helmut Roeckl	475-8719

Telefacsimile:	475-7258/7263
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GPC Telefacsimile	475-8558
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Works Council Office	475-8735
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All numbers are DSN. For commercial access, call us at 09641-83-xxxx.